

10/21/2016



Mr. Naji J. Ahmad  
Environmental Engineer  
Environmental Sciences & Technology Division  
Environmental Field Compliance Branch  
Region VII – Iowa, Kansas, Missouri, Nebraska  
U.S. Environmental Protection Agency  
300 Minnesota Avenue  
Kansas City, Kansas 66101

Dear Mr. Ahmad,

On October 14, 2016, you provided Hubbell with correspondence in regard to a Notice of Potential National Pollutant Discharge Elimination System (NPDES) Permit Violations. Hubbell Realty Company understands the importance of the storm water regulations and strives to comply with these regulations at all times. Please find Hubbell Realty Company's response in regard to each of your seven inspection comments.

We would like to explain a little bit about what Hubbell Realty Company is doing and the type of development you inspected. The community, named Glynn Village, is a uniquely designed conservation development. Through a private and public partnership with the City of Waukee, it has been strategically designed to utilize natural storm water mitigation methods to protect downstream waterways and water bodies, namely Sugar Creek.

The Glynn Village subdivision is designed and managed to provide a natural environmental water mitigation feature into perpetuity, and preserve an open space landscape that provides for natural habitats for wildlife, and the cleaning and enhancement of storm water run-off. Glynn Village dedicates roughly forty (40) percent of the total development area as permanent open space. Glynn Village offers more than 134 acres of replanted native prairie, where water is purposely cycled from public infrastructure and through vegetation to basins purposefully designed to hold and further clean water.

The native prairie grass areas, as shown on the SWPPP and construction documents for the community, were intentionally engineered to hold back silt, remove lawn and road chemicals from water, absorb rainfall, introduce surface water to the subsurface, and release water into adjacent waterways at a significantly reduced rate. Glynn Village goes well beyond basic code ordinance requirements, and provides a higher level of environmental stewardship and focus on the perpetual treatment of water.

Glynn Village is a voluntary development solution made by Hubbell Realty Company to preserve water quality and enhance the greater community. It is an example of going beyond conventional and standard storm water mitigation methods, and incorporates cutting edge natural technologies to better and protect the environment.

Through the development of Glynn Village, and in parallel with management actions described herein, Hubbell Realty Company has placed a focus on storm water mitigation.

Enclosed, please find Hubbell's response to your observations. It is our hope you will see that Hubbell's past and present efforts show its continued commitment to land stewardship and environmental protection, most notably on the management of storm water.

Most Sincerely,

Hubbell Metropolitan Development Fund I, Series E  
By: Hubbell Realty Company, Managing Member

A handwritten signature in black ink, reading "Andrew Hubbell". The signature is written in a cursive, flowing style. The first name "Andrew" is written in a smaller, more compact script, while the last name "Hubbell" is written in a larger, more prominent script with a long, sweeping tail on the final "l".

Andrew Hubbell, Development Operations Manager

Permittee (facility) Name and Address:

**Glynn Village Plat 10  
Waukee, IA 50263**

**Hubbell Metropolitan Development Fund I, LLC**

**6900 Westown Parkway  
West Des Moines, IA 50266**

NPDES Permit Number:

**Iowa NPDES 9433-9235**

Inspection Date:

**October 12, 2016**

Inspector Name:

**Naji J. Ahmad**

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## Notice of Potential NPDES Permit Violations

### Notice of Potential National Pollutant Discharge Elimination System (NPDES) PERMIT VIOLATIONS

Permittee (facility) Name and Address:

Glynn Village Plate 10  
Waukee, IA 50263

Hubbell Metropolitan Development Fund I, LLC  
6900 Westown Parkway  
West Des Moines, IA 50266

NPDES Permit Number: Iowa NPDES 9433-9235


During the Clean Water Act §308 compliance inspection conducted on **October 12, 2016**, the potential NPDES permit violations noted below were found. Additional violations may be brought to your attention following a complete review of the inspection report and other available information.

#### POTENTIAL NPDES PERMIT VIOLATIONS

1. The permittee failed to install sediment and erosion controls to protect sediment from entering the stormwater inlets at the entire the Westown Pkwy paving project.
2. There were evidence of sediment runoff deposits into the unnamed tributary to Sugar Creek caused by stormwater runoff from land disturbance at the Westown Pkwy paving project site
3. There were sediment deposits into the unnamed tributary to Sugar Creek at the west project line caused by runoff flowing down the disturbed steep slope passing through the silt fence dams onto the grassy area and into the unnamed tributary.
4. The Diesel Fuel tank trailer did not have secondary containment and it was parked few feet from an unprotected stormwater inlet.
5. Evidence of significant vehicular track outs on public roads front of every single home construction site at the project.
6. Poor sediment controls to protect the street stormwater inlets at the single home development which caused significant sediment to deposit into the two sediment basins.
7. Improper maintenance of the site sediment basins: (1) the smaller basin had significant amount of sediment accumulation and (2) the large basin had significant growth of vegetation.

**REQUESTED ACTION:** Within ten (10) days, please describe in writing any actions taken, or planned, to correct the potential violations identified above. Your response will be considered in the determination of the need for further administrative or legal action. Mail your description of corrective actions to your inspector at: U.S. Environmental Protection Agency, ENST/EFCB, 300 Minnesota Ave., Kansas City, KS, 66101

Inspector's printed Name: **Naji J. Ahmad,**

Signature: 

Date: 10.14.2016

## **Site Timeline – Erosion Control Installation and Maintenance from August 16<sup>th</sup> to October 17<sup>th</sup>, 2016**

The following timeline of events, corroborated by contractor Work Logs, invoices, and Stormwater Pollution Prevention Plan (SWPPP) inspection reports prove that there were Best Management Practices (BMP's) protecting the inlets and the unnamed tributary prior to the inspection date and that the sediment and erosion controls were maintained or replaced on an as-needed basis in accordance with BMP's and the SWPPP on file. The intent of this timeline is to show we are actively involved in managing the site in accordance with the SWPPP, and make every attempt to follow good stewardship principles.

If it would-be helpful to have information on construction and erosion control activity in this site prior to September 15th, we would be happy to provide that information.

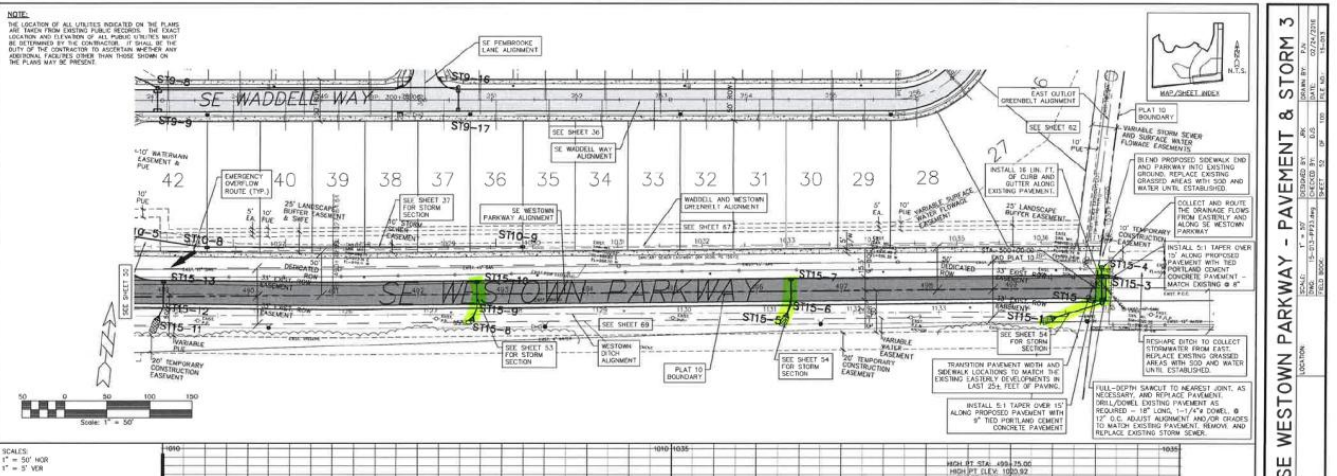
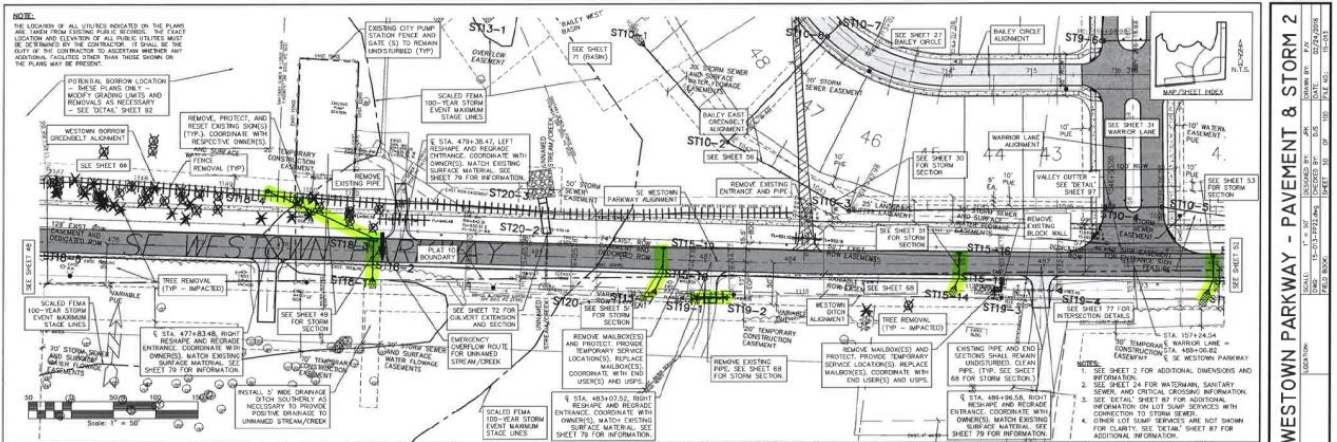
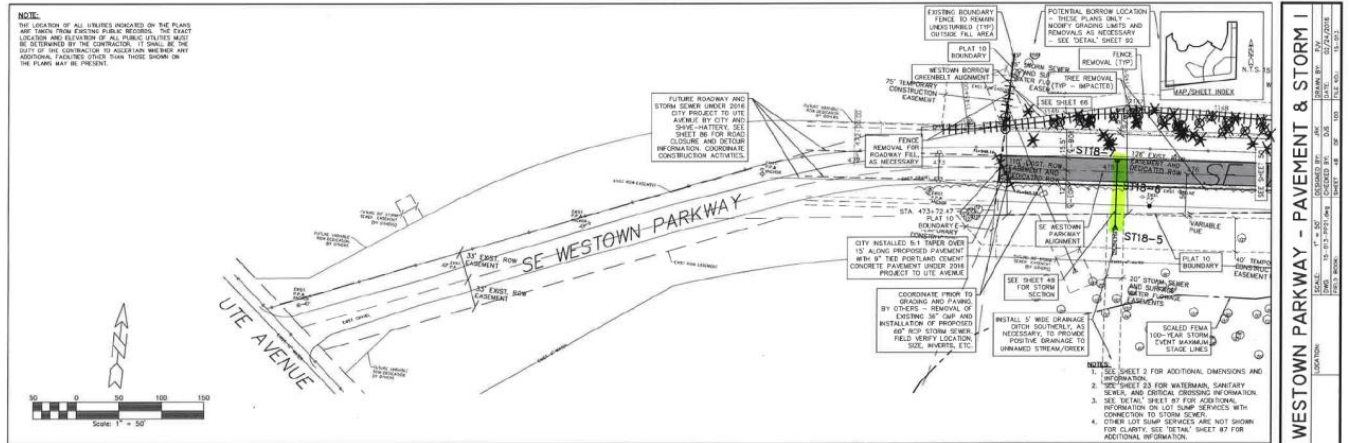
### **Timeline:**

**9/15/16:** McAninch Corporation Site Utilities crew arrives onsite to begin Site Utility phase of project, including water main, storm sewer, private utility services, and culvert extension on unnamed tributary. This work is indicated on the **Project Utility Map (Exhibit 1A)** for reference. **Storm sewer construction is highlighted in yellow. Water main construction is highlighted in blue.**

Installation of water main starts on west end of site as referenced in McAninch Work Log (**Exhibit 1B**).

# Project Utility Map (cont'd)

## Exhibit 1A





## Exhibit 1A



WEDNESDAY  
SEPTEMBER 14

AUGUST 2016							SEPTEMBER 2016						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	

258/108

RAIN  
OK

Russ - 2

#1B

THURSDAY  
SEPTEMBER 15

OCTOBER 2016							NOVEMBER 2016						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
2	3	4	5	6	7	8	4	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30			
30	31												

259/107

land pipe water  
9 main, tied on  
+ laid 300' and  
set 1 hyd

10840-6

Russ - 10.11  
Bna - 10.9  
Cora - 11  
SRA - 10.5  
RAC - 10.5  
RVA - 10.5

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9/19/16: Water main utility work on west side of unnamed tributary and south of Westtown Parkway continued to work from west to east, per McAninch Work Log (**Exhibit 1C**).

**SUNDAY SEPTEMBER 18**

262/104

AUGUST 2016  
S M T W T F S  
1 2 3 4 5 6  
7 8 9 10 11 12 13  
14 15 16 17 18 19 20  
21 22 23 24 25 26 27  
28 29 30 31

SEPTEMBER 2016  
S M T W T F S  
1 2 3  
4 5 6 7 8 9 10  
11 12 13 14 15 16 17  
18 19 20 21 22 23 24  
25 26 27 28 29 30

7059 - 2514  
5128 - 2127  
5116 - 5771

**#1C MONDAY SEPTEMBER 19**

263/108

OCTOBER 2016  
S M T W T F S  
1 2 3 4 5 6 7 8  
9 10 11 12 13 14 15  
16 17 18 19 20 21 22  
23 24 25 26 27 28 29  
30 31

NOVEMBER 2016  
S M T W T F S  
1 2 3 4 5  
6 7 8 9 10 11 12  
13 14 15 16 17 18 19  
20 21 22 23 24 25 26  
27 28 29 30

→ Laid 425' of  
12" WATER

Set hyd  
12" VALVE  
2 FIRE HYD  
STOPPED AT CRICK

Ryan - 11.5  
Bran - 11.5  
Cary - 11.5  
SAG - 11.5  
Ryan - 11.5  
MARC - 11.5



9/20/16: Water Main crosses unnamed tributary, per McAninch Work Log (**Exhibit 1D**).

9/21/16: Water main continues east past driveway belonging to homeowner referred to as "Rick", per McAninch Work Log (**Exhibit 1E**).

### #1D

TUESDAY  
SEPTEMBER 20

204/102

last 12" pipe  
across creek it was  
A wet one!  
Stopped short of Ricks  
driveway -  
200'

300  
100  
300  
425  
200  
150  
150  
150

Russ - 11  
Brian - 11  
Lumpy - 11  
Paul - 11  
Mark - 11  
Ryan - 11

### #1E

WEDNESDAY  
SEPTEMBER 21

265/101

Mike - 720-0297  
Mike Mounts - 515-252-6565  
JOE COX  
515-689-8581

Cris Freeman 515-238-8588  
gun club

Rick 707-3081

Long Drive Pipe

Tommy - Dehnck excavator  
515-208-1233

515-987-4415 Sharon  
pioneer gun club  
1-6 PRS

closed man

Russ - 11  
Brian - 11  
Lumpy - 11  
SAC - 11  
Mark - 11  
Ryan - 11

150' 12" w g.c.  
Set 1 hnd

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9/22/16: BMP's replaced in disturbed Water Main Site Utility installation areas to prevent sediment from entering unnamed tributary.

BMP's Included:

- Silt sock around beehives along Westown Pkwy
- Street clean access road for Westown Parkway residents
- Swale checks installed along Westown Pkwy

Referenced by Site Inspections Sept. 23<sup>rd</sup> SWPPP report, under "Remarks" (**Exhibit 1F**).

#1F

<b>Hubbell</b> SITE INSPECTIONS		Hubbell Site Inspections Inspector: Nick Newbury Date: 9-23-2016		Permit Number: IA-9433-9235 Expires 5/31/2017 Location: Glynn Village Plats 8-10 Wauke, IA Dallas County	
Describe present phase of construction Pipe on Westown. Homes on plat 10					
Type of Inspection <input checked="" type="checkbox"/> Regular		<input type="checkbox"/> Pre-storm event <input type="checkbox"/> During storm event <input type="checkbox"/> Post-storm event			
Weather Information					
Has it rained since the last inspection? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
If yes, provide: Storm Start Date & Time: 9/23 8am    Storm Duration (hrs):    1 approximate rainfall(inches): 0.02					
Weather at time of this inspection? 73 degrees light rain					
Do you suspect discharges may have occurred since the last inspection? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
Are there any discharges at the time of inspection? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
Overall Site Issues					
BMP/activity	Implemented	Maintained	Corrective Action	Date for corrective action/	
Are perimeter controls/sediment barriers adequately installed and maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Are all slopes and areas not being worked properly stabilized?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Seed/mulch	after respread is complete	
Are natural resource areas/streams etc. protected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Are discharge points free of sediment deposits?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Are storm drain inlets properly protected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Is there evidence of sediment being tracked into streets?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Street sweep	end of day as necessary	
Is trash from work areas collected in covered dumpsters?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Are wash out facilities available and maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Are vehicle & equipment fueling/maintenance areas free of spills?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Are materials that are potential storm water contaminants stored inside or covered?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Remarks					
Installed sock around beehives-westown job. Tidy Site cleaned access road for westown residents. Swale checks along westown installed by tidy Site services.					
Observation Report Certification Statement				Signed _____ Date _____	
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure the qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for known violations.				Development Inspector: 515-608-3296	

9/29/16: Water main completed East to West on South side of Westown Parkway. McAninch Work Log (**Exhibit 1G**).



9/30/16: Started installation of storm pipe cross runs (**Project Map**) and McAninch Work Log (**Exhibit 1G**).

**FRIDAY #1G**  
**SEPTEMBER 30**

274/92

AUGUST 2016  
 S M T W T F S  
 1 2 3 4 5 6  
 7 8 9 10 11 12 13  
 14 15 16 17 18 19 20  
 21 22 23 24 25 26 27  
 28 29 30 31

SEPTEMBER 2016  
 S M T W T F S  
 1 2 3  
 4 5 6 7 8 9 10  
 11 12 13 14 15 16 17  
 18 19 20 21 22 23 24  
 25 26 27 28 29 30

LAD WEST  
 STORM LINE  
 AND 18" storm  
 LINE By lift  
 STA...

83' 15"  
 189' 18"

52  
 31  
 83

138  
 320  
 189

MADE Bends set Both  
FES, Bored Both Base  
Poured Base to 512 in  
+ sediment pond

Rem - 11.5  
 Brn - 11  
 Gun - 11  
 Spl - 11  
 MACK - 17  
 RYAN - 11

**SATURDAY**  
**OCTOBER 1**

275/91

OCTOBER 2016  
 S M T W T F S  
 1 2 3 4 5 6 7 8  
 9 10 11 12 13 14 15  
 16 17 18 19 20 21 22  
 23 24 25 26 27 28 29  
 30 31

NOVEMBER 2016  
 S M T W T F S  
 1 2 3 4 5 6 7 8  
 9 10 11 12 13 14 15  
 16 17 18 19 20 21 22  
 23 24 25 26 27 28 29  
 30

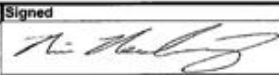
FOUR STATE  
 FOOT PAIL CAN  
 installed 4in pipe in  
 Rick [redacted] drive  
 30' 42" cmp  
 TEXT BRIAN ALL DAY  
 [redacted]

Rem - 4  
 Brn - 5  
 Gun - 5  
 Spl - 5  
 RYAN - 5  
 MACK - 5

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**10/7/16:** Weekly Site Inspections SWPPP report comments show swale checks were temporarily removed due to storm pipe installation (structure, cross run, and flared ends), and new BMP's (silt fence and silt sock) were ordered to protect inlets once completed and prevent sediment from entering unnamed tributary (**Exhibit 1H**).

**#1H**

<b>Hubbell</b> SITE INSPECTIONS		Hubbell Site Inspections Inspector: Nick Newbury Date: 10-7-2016		Permit Number: IA-9433-9235 Expires 5/31/2017 Location: Glynn Village Plats 8-10 Waukeg, IA Dallas County	
Describe present phase of construction		Finishing Natives, paving on Westown			
Type of Inspection	<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Pre-storm event	<input type="checkbox"/> During storm event	<input type="checkbox"/> Post-storm event	
Weather Information					
Has it rained since the last inspection?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, provide:		Storm Start Date & Time: 10/6 10pm		Storm Duration (hrs): 3 approximate rainfall (inches): 0.06	
Weather at time of this inspection?		49 degrees partly cloudy			
Do you suspect discharges may have occurred since the last inspection?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Are there any discharges at the time of inspection?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Overall Site Issues					
BMP/activity	Implemented	Maintained	Corrective Action	Date for corrective action/	
Are perimeter controls/sediment barriers adequately installed and maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Are all slopes and areas not being worked properly stabilized?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Seed/mulch	after respread is complete	
Are natural resource areas/streams etc. protected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Are discharge points free of sediment deposits?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Are storm drain inlets properly protected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Is there evidence of sediment being tracked into streets?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Street sweep	end of day as necessary	
Is trash from work areas collected in covered dumpsters?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Are wash out facilities available and maintained?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> yes <input type="checkbox"/> No			
Are vehicle & equipment fueling/maintenance areas free of spills?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no			
Are materials that are potential storm water contaminants stored inside or covered?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Remarks					
Mcaninch still working on westown. Removed several swale checks to install pipe. Ordered new silt fence/filter sock for next week from Tidy Site Services. Tidy Site is finishing prairie seeding should be done by next week.					
Observation Report Certification Statement			Signed	Date	
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure the qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for known violations.				Date: 10-7-2016	
			Development Inspector:	515-608-3296	

**10/10/16:** All stormwater inlets on Westown Parkway paving project were in process of being backfilled and brought up to grade. Before backfilling, the inlets are left above grade to prevent sediment from washing in. The flared ends, which are the discharge points of the inlets into the ditch on the South of Westown Parkway were rip rapped to prevent scouring and to slow the velocity of water in the ditch. Temporary diversion trench was cut and temporary pipe placed for work to start on Culvert extension in unnamed tributary. McAninch Work Log (**Exhibit 11**).

**MONDAY #11  
OCTOBER 10**

284/82

SEPTEMBER 2016  
S M T W T F S  
4 5 6 7 8 9 10  
11 12 13 14 15 16 17  
18 19 20 21 22 23 24  
25 26 27 28 29 30

OCTOBER 2016  
S M T W T F S  
1 2 3 4 5 6 7 8  
9 10 11 12 13 14 15  
16 17 18 19 20 21 22  
23 24 25 26 27 28 29  
30 31

Columbus Day • Thanksgiving (63)

Rip Rapped FED  
then dug the  
Panel 9 box for  
the tin culvert  
PHONE CABLES EGRESS  
349-7  
973-5  
321-3

Back Filled Intakes

Run - 10.5  
Bm - 10  
Lm - 10  
SAL - 10  
MOL - 10  
RVA - 10

**TUESDAY  
OCTOBER 11**

285/81

NOVEMBER 2016  
S M T W T F S  
1 2 3 4 5  
6 7 8 9 10 11 12  
13 14 15 16 17 18 19  
20 21 22 23 24 25 26  
27 28 29 30

DECEMBER 2016  
S M T W T F S  
1 2 3  
4 5 6 7 8 9 10  
11 12 13 14 15 16 17  
18 19 20 21 22 23 24  
25 26 27 28 29 30 31

1st Appur begins of sundown • Anura begins of sundown

Spent the whole day  
hooking the gun club  
to cut 12" main.  
ALURDY AS [REDACTED]

320-6 40' 4"  
1-4" stone

8112-5  
7059-2

Back Filled Intakes  
ORDERED PILES

Run - 10.5  
Bm -  
Lm -  
MOL -  
RVA -  
SAL - ✓

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10/11/16: Backfilling of inlets completed (**Exhibit 1J**) and iron plates ordered to cover the inlets in preparation for roadway paving. McAninch Work Log (**Exhibit 1K**).

**MONDAY #1J**  
**OCTOBER 10**

284/82

Columbus Day • Thanksgiving (C)

Rip Rap and F&D  
then dug the  
Panel a bout for  
the tin culvert  
PHONE CABLES EMSS  
349-7  
973-5  
321-3

Back Filled Intakes

Run - 10.5  
Bm - 10  
Lms - 10  
SAL - 10  
MOW - 10  
RVA - 10

**TUESDAY #1K**  
**OCTOBER 11**

285/81

Ym-Rapur begins at sundown • Ashua begins at sundown

Spent The whole day  
hooking the gun club  
to a 12" main.  
MUDDY AS

324-6 40' 4"  
1-4" stone

8112-5  
7059-2

Back Filled Intakes  
ORDERED PLATES

Run - 10.5  
Bm -  
Lms -  
MOW -  
RVA -  
SAL - V.

ATA-GLANCE®



**10/12/16: EPA Site Inspection performed by Naji Ahmad.** At time of inspection, the BMP's previously installed were not in place because their removal was necessary finish the backfill of the inlets, rip rap the flared ends, and grade the South ditch for proper drainage. As stated earlier, the controls were ordered to be replaced later that day after plates were installed, and there was evidence of the previous BMP's on site including torn out/buried silt fence, and piles of silt sock that were pushed to the side. This was noted by the Inspector.

**10/12/16:** Inlet plates installed and wrapped in silt sock. See further evidence in the following pages.

**10/12/16:** Silt sock ditch checks were placed in South ditch of Westown Parkway to slow stormwater velocity directed towards unnamed tributary. See further evidence in the following pages.

**10/12/16:** Trench was dug around diesel fuel tank trailer as secondary containment measurement, performed by McAninch. See further evidence in the following pages.

**10/13/16:** Additional silt fence checks were re-installed as perimeter controls to prevent sediment from leaving site, and additional ditch checks were placed in all ditches which drain towards the unnamed tributary.

This is referenced in **Photo Exhibits D, E, F, and G.**

The numbers correlate with their placement on updated **Map Exhibits A, B, and C.**

**10/14/16: Follow up meeting with EPA inspector, Naji Ahmad, on site to discuss Notice of Potential NPDES Permit Violations.**

**10/14/16:** Continued to install silt fence checks to replace previous checks to prevent sediment from leaving site as seen in pictures and exhibits in the following pages.

**10/17/16:** Installed matting on sides of temporary diversion trench to prevent sediment runoff into unnamed tributary, as evidenced Inspector Comment #2 response.

## **Inspector Comment #1**

*“The Potential Permittee failed to install sediment and erosion controls to protect sediment from entering the stormwater inlets at the entire the Westown Pkwy paving project.”*

At the time of the inspection, the onsite sediment and erosion controls that protect sediment from entering the stormwater inlets on the Westown Parkway paving project were installed on the inspection day of 10/12/16.

The utility work installing the storm inlets, cross-run pipe, and flared-ends began on 9/30/16, and was not completed until 10/11/16. Until 10/11, the inlet structures were purposely left above grade to prevent water from flowing into the structures until they were ultimately covered with iron plates in preparation for the paving and backfill of the roadway. New BMP controls for the new inlets and outlets were ordered on Friday, 10/7/16. On 10/10/16 the contractor began backfilling the inlets and the iron plates were ordered the following day 10/11/16.

Photos show the plates were on site the morning of the inspection on 10/12/16, and were completely installed on every inlet by the end of the day of the inspection, representing work in progress. The erosion control contractor, Tidy Site Services was on site that afternoon, adding additional silt sock controls around the plates to prevent sediment from entering the inlets, as well as installing velocity controls in the ditch on the South side of Westown Parkway which serves as the outlet for these inlets. This was done in response to finish grading around the inlets that was necessary to meet construction plan requirements of the city of Waukee. Fence was installed on 10/13/16 after finish grading operations to mitigate future storm water run-off.

**Please refer to “Exhibit G – Intake Protections” for photo reference.**

## **Inspector Comment #2**

*“There were evidence of sediment runoff deposits into the unnamed tributary to Sugar Creek caused by stormwater runoff from land disturbance at the Westown Pkwy paving project site.”*

We believe the sediment deposits referenced in the above comment happened on 10/10/16 when the diversion trench and temporary culvert pipe were installed to begin work on the main 9' diameter culvert extension. As part of the Westown Parkway paving project, we were required by the City of Waukee to extend the culvert structure in order to accommodate the widening of the roadway. A diversion trench is necessary to allow the utility crews dry access to complete their work. The temporary culvert and diversion ditch were installed starting on 10/10/16 and finished on 10/11/16, during this process a section of rip rap protection lining the creek bed was disturbed as required to make room for the outlet of the temporary culvert and all perimeter controls on the top of the slope were temporarily removed as well. Erosion controls and other BMP's, including straw matting for the un-stabilized banks of the diversion trench were ordered for the following day of 10/12/16.

-On 10/12/16 Silt sock BMP's were placed as velocity checks in the South ditch on both the East and West side of the unnamed tributary. Silt sock was also placed at the top of the slope of the tributary as a final protective measure before the rip rap, as shown in Tidy Site Invoice #12285 (**Exhibit 2A**). For photographic evidence, refer to **Map Exhibits A, B, and C and Photo Exhibits D, E, F, and G.**

-On 10/13/16 and 10/14/16 Silt Fence BMP's were installed further protecting the top of the slope and slowing potential flows towards the unnamed tributary, as shown in Tidy Site Invoice #12287 (**Exhibit 2B**). For photographic evidence, refer to **Map Exhibits A, B, and C and Photo Exhibits D, E, F, and G.**

## Tidy Site Invoice #12285 (Exhibit 2A)



Tidy Site Services, LLC  
175 South 9th St.  
West Des Moines, IA 50265  
(515) 639-7347  
tidysiteservices@yahoo.com

### INVOICE

**BILL TO**

Hubbell Development  
6900 Westown Pkwy.  
West Des Moines, IA 50266

**INVOICE #** 12285**DATE** 10/17/2016**DUE DATE** 10/17/2016**TERMS** Due on receipt**ADDRESS**

Glynn Village - Westown Pkwy.

SERVICE DATE	ACTIVITY	QTY	RATE	AMOUNT
10/12/2016	<b>Silt Sock Install</b> Install green 12" silt sock	125	2.00	250.00
10/12/2016	<b>Silt Sock Install</b> Install silt sock	665	1.35	897.75

Please remit payment immediately.

175 South 9th St. WDM, IA 50265

REID 515-480-1818 OFFICE 515-639-7347

E-MAIL tidysiteservices@yahoo.com

Thank you for your business - We appreciate it very much.

TIDY SITE SERVICES, LLC

**BALANCE DUE****\$1,147.75**



## Tidy Site Invoice #12287 (Exhibit 2B)

	<b>Tidy Site Services, LLC</b> 175 South 9th St. West Des Moines, IA 50265 (515) 639-7347 tidysiteservices@yahoo.com										
<h1>INVOICE</h1>											
<b>BILL TO</b> Hubbell Development 6900 Westown Pkwy. West Des Moines, IA 50266	<b>INVOICE #</b> 12287 <b>DATE</b> 10/17/2016 <b>DUE DATE</b> 10/17/2016 <b>TERMS</b> Due on receipt										
<b>ADDRESS</b> Glynn Villiage - Westown Pkwy.											
<table border="0"><thead><tr><th>SERVICE DATE</th><th>ACTIVITY</th><th>QTY</th><th>RATE</th><th>AMOUNT</th></tr></thead><tbody><tr><td>10/14/2016</td><td><b>Silt Fence Install</b> Install silt fence</td><td>1,101</td><td>1.45</td><td>1,596.45</td></tr></tbody></table>		SERVICE DATE	ACTIVITY	QTY	RATE	AMOUNT	10/14/2016	<b>Silt Fence Install</b> Install silt fence	1,101	1.45	1,596.45
SERVICE DATE	ACTIVITY	QTY	RATE	AMOUNT							
10/14/2016	<b>Silt Fence Install</b> Install silt fence	1,101	1.45	1,596.45							
<table border="0"><tr><td>Please remit payment immediately. 175 South 9th St. WDM, IA 50265 REID 515-480-1818 OFFICE 515-639-7347 E-MAIL tidysiteservices@yahoo.com Thank you for your business - We appreciate it very much. TIDY SITE SERVICES, LLC</td><td><b>BALANCE DUE</b></td><td><b>\$1,596.45</b></td></tr></table>		Please remit payment immediately. 175 South 9th St. WDM, IA 50265 REID 515-480-1818 OFFICE 515-639-7347 E-MAIL tidysiteservices@yahoo.com Thank you for your business - We appreciate it very much. TIDY SITE SERVICES, LLC	<b>BALANCE DUE</b>	<b>\$1,596.45</b>							
Please remit payment immediately. 175 South 9th St. WDM, IA 50265 REID 515-480-1818 OFFICE 515-639-7347 E-MAIL tidysiteservices@yahoo.com Thank you for your business - We appreciate it very much. TIDY SITE SERVICES, LLC	<b>BALANCE DUE</b>	<b>\$1,596.45</b>									

-On 10/17/16 the slopes of the diversion trench were protected using straw matting to stop any sediment from depositing in the creek from direct rainfall and combined with a silt sock top perimeter to protect from surface flow. **See photo of "Silt Sock #60" below.**

Silt Sock #60



The timeline laid out previously illustrates that controls were in place prior to the necessary construction activity needed to install the temporary culvert pipe, and that new controls were in place as soon as possible to protect the unnamed tributary.

### **Inspector Comment #3**

*“There were sediment deposits into the unnamed tributary to Sugar Creek at the west project line caused by runoff flowing down the disturbed steep slope passing through the silt fence dams on the grassy area and into the unnamed tributary.”*

Per the inspector’s comment, runoff flowing down the unprotected steep slope belonging to the City of Waukeee caused sediment deposit. At the time of inspection, the City of Waukeee’s property (west side of Hubbell’s site) did not have controls needed to effectively slow stormwater velocity and control sediment. This lack of erosion controls allowed sediment to leave their site and deposit onto Hubbell’s site. Sediment deposited into Hubbell’s outlet structure, which flows into the unnamed tributary as seen in the pictures below. Due to the City of Waukeee’s failure to stop sediment from leaving their work site, erosion sediment collected in Hubbell’s many silt fence checks along the steep slope on the west project line, on the south side of Westown Parkway.

The City of Waukeee did not install controls on its slope until after the inspection date. Those controls are now in place.

#### **City of Waukeee Storm Water Draining onto Westown Parkway Project Photos taken after 10/12/2016**





Please see **Map Exhibits A, B, and C** and corresponding **Photo Exhibits D, E, F, and G** showing the site's sediment and erosion controls.



**Action:**

**10/14/16:** Additional silt fence ditch checks were installed by Hubbell to relieve the overburdened existing silt fence filled with City of Waukee site sediment (**controls #44-51 below**).

Silt Fence #45-51



#### Inspector Comment #4

*“The Diesel Fuel tank trailer did not have secondary containment and it was parked few feet from an unprotected stormwater inlet.”*

Photo of fuel tank trailer in question:



The tank owner (McAninch) moved this tank trailer onto the site pictured on 10/06/2016. Secondary containment controls in the form of a dirt containment berm was placed around the fuel tank on 10/12/2016.

Each contractor is required to sign a Contractor's Certification Statement to adhere to the terms and conditions of the NPDES Permit No. 2. This is evidenced by the Contractor's Certification Statement (4A) below.

#4

**CERTIFICATION STATEMENT  
FOR  
GLYNN VILLAGE - PLAT 10  
WAUKEE, IOWA**

Contractor/Subcontractor:

McANINCH Corp

Address:

4001 DELAWARE  
PRM, IA 50313

Phone Number:

515-267-2500

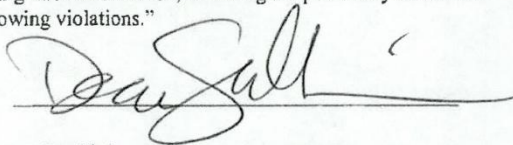
Date:

6/1/2015

"I certify under penalty of law that I understand the terms and conditions of the general National Pollutant Discharge Elimination System (NPDES) permit that authorized the stormwater discharges associated with industrial activity from the construction site as part of this certification. Further, by my signature, I understand that I am becoming a co-permittee, along with the owner(s) and other contractors and subcontractors signing such certifications, to the Iowa Department of Natural Resources NPDES General Permit No. 2 for "Stormwater Discharge Associated with Industrial Activity for Construction Activities" at the identified site. As a co-permittee, I understand that I, and my company, are legally required under the Clean Water Act and the Code of Iowa, to ensure compliance with the terms and condition of the stormwater pollution prevention plan developed under this NPDES permit and the terms of this NPDES permit.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signed:



Title:

P.M. ESTIMATOR




## Inspector Comment #5

*“Evidence of significant vehicular track outs on public roads front of every single home construction site at the project.”*

Per BMP, street cleaning was ordered to correct this track out on the day of the inspection. Street cleaning has been ordered to address track out as it occurs, as evidenced by Tidy Site Services Invoice #11976 (**Exhibit 5A**) below.


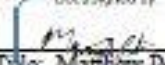
Each builder that purchases a lot from Hubbell Metropolitan Development Fund I, LLC is required to sign a Contractor’s Certification Statement to adhere to the NPDES Storm Water Discharge Permit No. 2 requirements. Builders are required to prevent the loss, transfer or migration of any soil, silt, hazardous substance or solid waste from or beyond the boundaries of such lot. An example can be seen by the Contractor’s Certification Statement for Eden Custom Homes, LLC (**Exhibit 5B**) and Keystone Homes, LLC (**Exhibit 5C**) below.

### Exhibit 5A – Tidy Site Services Invoice #11976

	<b>Tidy Site Services, LLC</b> 175 South 9th St. West Des Moines, IA 50265 (515) 639-7347 tidysiteservices@yahoo.com										
<b>INVOICE</b>											
<b>BILL TO</b> Hubbell Development 6900 Westown Pkwy. West Des Moines, IA 50266	<b>INVOICE #</b> 11976 <b>DATE</b> 09/19/2016 <b>DUE DATE</b> 09/19/2016 <b>TERMS</b> Due on receipt										
<b>ADDRESS</b> Glynn Village											
<table border="1"><thead><tr><th>SERVICE DATE</th><th>ACTIVITY</th><th>QTY</th><th>RATE</th><th>AMOUNT</th></tr></thead><tbody><tr><td>09/14/2016</td><td><b>Street Clean</b> Street Clean - Waddell Way</td><td>1</td><td>185.00</td><td>185.00</td></tr></tbody></table>		SERVICE DATE	ACTIVITY	QTY	RATE	AMOUNT	09/14/2016	<b>Street Clean</b> Street Clean - Waddell Way	1	185.00	185.00
SERVICE DATE	ACTIVITY	QTY	RATE	AMOUNT							
09/14/2016	<b>Street Clean</b> Street Clean - Waddell Way	1	185.00	185.00							
<p>Please remit payment immediately. 175 South 9th St. WDM, IA 50265 REID 515-480-1818 OFFICE 515-639-7347 E-MAIL tidysiteservices@yahoo.com Thank you for your business - We appreciate it very much. TIDY SITE SERVICES, LLC</p>											
<table border="1"><tr><td><b>BALANCE DUE</b></td><td><b>\$185.00</b></td></tr></table>		<b>BALANCE DUE</b>	<b>\$185.00</b>								
<b>BALANCE DUE</b>	<b>\$185.00</b>										

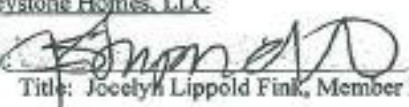


## Exhibit 5B – Eden Custom Homes, LLC Contractor Certification Statement

 6900 Westown Parkway/West Des Moines, Iowa 50266 www.hubbellrealty.com 515-243-3228 FAX 515-280-2000	
<b><u>CONTRACTOR'S CERTIFICATION STATEMENT</u></b>	
Buyer: <u>Eden Custom Homes, LLC</u>	
Seller: <u>Hubbell Metropolitan Development Fund I, LLC (Series E)</u>	
Property (Lot # or Local Address or Legal Description): <u>Lots 23-24, Glynn Village Plat 10, an Official Plat, now included in and forming a part of the City of Waukee, Dallas County, Iowa.</u>	
Permit Number: <u>IA-9433-9235</u>	
Buyer is hereby notified that there exists an NPDES Storm Water Discharge Permit No. 2 (the "General Permit") and a pollution prevention plan for Glynn Village Plat 10, which includes the Property. Buyer acknowledges receipt of the General Permit and pollution prevention plan. Additionally, a copy of the General Permit and pollution prevention plan is located at Seller's offices at 6900 Westown Parkway, West Des Moines, Iowa.	
Buyer understands and agrees that from and after the Closing Date for each Lot, Buyer shall become the sole responsible permittee for such Lot with respect to compliance with all terms, provisions, conditions and requirements of the General Permit and the pollution prevention plan.	
Additionally, from and after the Closing Date for each Lot, Buyer shall, under all circumstances, prevent the loss, transfer or migration of any soil, silt, hazardous substance or solid waste from or beyond the boundaries of such Lot. At all times from and after the Closing Date for each Lot, Buyer shall have the sole operational control of storm water discharges associated with such Lot. In the event Buyer fails to take all necessary action to prevent the loss, transfer or migration of any soil, silt, sediment, petroleum product, hazardous substance or solid waste from or beyond the boundaries of such Lot, Seller may, but is not required to, take such action, as Seller determines appropriate in its sole discretion, to prevent such losses or the remove such soil, silt, sediment, petroleum product, hazardous substance or solid waste that has migrated or otherwise moved from such Lot to areas beyond the boundaries of such Lot and Buyer shall reimburse Seller for its actual expenses in preventing such losses or removing such soil, silt, sediment, petroleum product, hazardous substance or solid waste, including a charge equal to 2.35 times the hourly salary of any employee of Seller or its agent who supervises such activity, plus an administrative charge of \$250.00 for each such occurrence. Buyer shall pay such amounts to Seller upon demand. Any amount due from Buyer to Seller that is not paid within five (5) days of such demand shall bear interest at an annual rate of twelve percent (12%) per annum until paid in full.	
Buyer shall protect, defend, indemnify and hold harmless Seller and its members or partners and their officers, directors, shareholders, members, partners or employees from any and all damages, claims liabilities, fines, penalties, cleanup costs and/or attorneys and consultant fees caused by, or in any manner related to: (1) any discharges from the Property, and/or (2) any alleged violation of the General Permit, the pollution prevention plan or any NPDES or storm water discharge rule or regulation applicable to the Property after the date of sale of each Lot to Buyer. Buyer hereby releases, waives and otherwise discharges any and all claims that Buyer may assert against Seller relating, in any manner, to any discharges from each Lot and/or any alleged violation of the General Permit, the pollution prevention plan or any NPDES or storm water discharge rule or regulation applicable to such Lot after the date of sale of such Lot to Buyer.	
Eden Custom Homes, LLC DocuSigned by By:  Title: <u>Matthew Peterson, President</u>	
Address: <u>8972 NW 72nd Place, Johnston, IA 50131</u> Telephone: <u>515-208-2537</u> Date: <u>September 22, 2016</u>	
<b><u>PLEASE EXECUTE FOUR ORIGINALS, ONE EACH FOR BUYER, SELLER, IOWA DNR, AND CITY/COUNTY</u></b>	




## Exhibit 5C – Keystone Homes, LLC Contractor Certification Statement

<div data-bbox="488 350 1463 403" data-label="Text"><p>6900 Westown Parkway West Des Moines, Iowa 50266 www.hubbellrealty.com 515-243-3228 FAX 515-280-2000 <b>CONTRACTOR'S CERTIFICATION STATEMENT</b></p></div>	<div data-bbox="1170 285 1463 359" data-label="Image"></div>
<div data-bbox="207 483 915 556" data-label="Text"><p>Buyer: <u>Keystone Homes, LLC</u> Seller: <u>Hubbell Metropolitan Development Fund I, LLC (Series E)</u></p></div>	
<div data-bbox="207 569 1463 669" data-label="Text"><p>Property (Lot # or Local Address or Legal Description): <u>Lots 133, 134, and 135, Glynn Village Plat 10, an Official Plat, now included in and forming a part of the City of Waukee, Dallas County, Iowa.</u> Permit Number: <u>IA-9433-9235</u></p></div>	
<div data-bbox="207 682 1463 800" data-label="Text"><p>Buyer is hereby notified that there exists an NPDES Storm Water Discharge Permit No. 2 (the "General Permit") and a pollution prevention plan for Glynn Village Plat 10, which includes the Property. Buyer acknowledges receipt of the General Permit and pollution prevention plan. Additionally, a copy of the General Permit and pollution prevention plan is located at Seller's offices at 6900 Westown Parkway, West Des Moines, Iowa.</p></div>	
<div data-bbox="207 812 1463 898" data-label="Text"><p>Buyer understands and agrees that from and after the Closing Date for each Lot, Buyer shall become the sole responsible permittee for such Lot with respect to compliance with all terms, provisions, conditions and requirements of the General Permit and the pollution prevention plan.</p></div>	
<div data-bbox="207 911 1463 1287" data-label="Text"><p>Additionally, from and after the Closing Date for each Lot, Buyer shall, under all circumstances, prevent the loss, transfer or migration of any soil, silt, hazardous substance or solid waste from or beyond the boundaries of such Lot. At all times from and after the Closing Date for each Lot, Buyer shall have the sole operational control of storm water discharges associated with such Lot. In the event Buyer fails to take all necessary action to prevent the loss, transfer or migration of any soil, silt, sediment, petroleum product, hazardous substance or solid waste from or beyond the boundaries of such Lot, Seller may, but is not required to, take such action, as Seller determines appropriate in its sole discretion, to prevent such losses or the remove such soil, silt, sediment, petroleum product, hazardous substance or solid waste that has migrated or otherwise moved from such Lot to areas beyond the boundaries of such Lot and Buyer shall reimburse Seller for its actual expenses in preventing such losses or removing such soil, silt, sediment, petroleum product, hazardous substance or solid waste, including a charge equal to 2.35 times the hourly salary of any employee of Seller or its agent who supervises such activity, plus an administrative charge of \$250.00 for each such occurrence. Buyer shall pay such amounts to Seller upon demand. Any amount due from Buyer to Seller that is not paid within five (5) days of such demand shall bear interest at an annual rate of twelve percent (12%) per annum until paid in full.</p></div>	
<div data-bbox="207 1299 1463 1530" data-label="Text"><p>Buyer shall protect, defend, indemnify and hold harmless Seller and its members or partners and their officers, directors, shareholders, members, partners or employees from any and all damages, claims liabilities, fines, penalties, cleanup costs and/or attorneys and consultant fees caused by, or in any manner related to: (1) any discharges from the Property, and/or (2) any alleged violation of the General Permit, the pollution prevention plan or any NPDES or storm water discharge rule or regulation applicable to the Property after the date of sale of each Lot to Buyer. Buyer hereby releases, waives and otherwise discharges any and all claims that Buyer may assert against Seller relating, in any manner, to any discharges from each Lot and/or any alleged violation of the General Permit, the pollution prevention plan or any NPDES or storm water discharge rule or regulation applicable to such Lot after the date of sale of such Lot to Buyer.</p></div>	
<div data-bbox="207 1558 740 1801" data-label="Text"><p>Keystone Homes, LLC By:  Title: <u>Jocelyn Lippold Fink, Member Manager</u> Address: <u>1645 NW 102<sup>nd</sup> Street, Clive, IA 50325</u> Telephone: <u>515-240-1179</u> Date: <u>September 29, 2016</u></p></div>	
<div data-bbox="207 1812 1463 1841" data-label="Text"><p><b>PLEASE EXECUTE FOUR ORIGINALS, ONE EACH FOR BUYER, SELLER, IOWA DNR, AND CITY/COUNTY</b></p></div>	

**Action:**

10/13/16: Cleaned all streets in single family development. This is evidenced by Tidy Site Services LLC Invoice #12307 (**Exhibit 5D**)

**Exhibit 5D – Tidy Site Services Invoice #12307**

	<b>Tidy Site Services, LLC</b> 175 South 9th St. West Des Moines, IA 50265 (515) 639-7347 tidysiteservices@yahoo.com										
<b>INVOICE</b>											
<b>BILL TO</b> Hubbell Development 6900 Westown Pkwy. West Des Moines, IA 50266	<b>INVOICE #</b> 12307 <b>DATE</b> 10/19/2016 <b>DUE DATE</b> 10/19/2016 <b>TERMS</b> Due on receipt										
<b>ADDRESS</b> Glynn Village - Westown Pkwy.											
<table border="0"><thead><tr><th>SERVICE DATE</th><th>ACTIVITY</th><th>QTY</th><th>RATE</th><th>AMOUNT</th></tr></thead><tbody><tr><td>10/13/2016</td><td>Street Clean Street Clean</td><td>3</td><td>125.00</td><td>375.00</td></tr></tbody></table>	SERVICE DATE	ACTIVITY	QTY	RATE	AMOUNT	10/13/2016	Street Clean Street Clean	3	125.00	375.00	
SERVICE DATE	ACTIVITY	QTY	RATE	AMOUNT							
10/13/2016	Street Clean Street Clean	3	125.00	375.00							
Please remit payment immediately. 175 South 9th St. WDM, IA 50265 REID 515-480-1818 OFFICE 515-639-7347 E-MAIL tidysiteservices@yahoo.com Thank you for your business - We appreciate it very much. TIDY SITE SERVICES, LLC	<b>BALANCE DUE</b>  <b>\$375.00</b>										

## **Inspector Comment #6**

*“Poor sediment controls to protect the street stormwater inlets at the single home development which caused significant sediment to deposit into the two sediment basins.”*

Each street storm water inlet in the single family development has a Fryeflow 18”x36” drop-down inlet protection device. Quick Supply Company Invoices #0174573-IN (**Exhibit 6B**) and Invoice #0174932-IN (**Exhibit 6C**) illustrate these inlet purchases. All street storm water inlets then drain into one of two existing basins (**Exhibit 7A**) which capture any potential sediment loss from the inlet protection devices, effectively containing all silt and sediment on site.

Please see the **Intake Protections Map and Pictures (Exhibit G)** and the corresponding numbered pictures as evidence of the site’s street storm water inlet protection.

### **Action:**

10/14/16: Installed metal backstops on all street storm water inlets to keep any potential sediment from bypassing our existing Fryeflow inlet protection devices at the inspector’s request. Please see the **Intake Protections Map (Exhibit G)** and the corresponding numbered pictures as evidence.

10/17/16: All inlet protection devices (55 in total) were cleaned out and had metal back stops put back on. This is evidenced by the **Tidy Site Services LLC Invoice #12319 (Exhibit 6A)**.

Exhibit 6A - Tidy Site Services LLC Invoice #12319



Tidy Site Services, LLC  
175 South 9th St.  
West Des Moines, IA 50265  
(515) 639-7347  
tidysiteservices@yahoo.com

## INVOICE

**BILL TO**

Hubbell Development  
6900 Westown Pkwy.  
West Des Moines, IA 50266

**INVOICE #** 12319

**DATE** 10/20/2016

**DUE DATE** 10/20/2016

**TERMS** Due on receipt

**ADDRESS**

Glynn Village

SERVICE DATE	ACTIVITY	QTY	RATE	AMOUNT
10/18/2016	Intake Clean Clean intakes	66	18.00	1,188.00

Please remit payment immediately.

175 South 9th St. WDM, IA 50265

REID 515-480-1818 OFFICE 515-639-7347

E-MAIL tidysiteservices@yahoo.com

Thank you for your business - We appreciate it very much.

TIDY SITE SERVICES, LLC

**BALANCE DUE**

**\$1,188.00**

# Exhibit 6B – Quick Supply Invoice #0174573-IN



## Invoice

Page: 1

6620 N.W. Toni Drive - Des Moines, IA 50313-5453  
(515) 289-1271 - Fax (515) 289-1272  
DISTRIBUTORS OF  
ENGINEERING FABRICS - EXPLOSIVES

Invoice Number: 0174573-IN  
Invoice Date: 7/12/2016

Order Number: 0122241  
Order Date: 7/5/2016  
Salesperson: HOUS  
Customer Number: 03-HUBBELL

**Sold To:**  
HUBBELL REALTY  
6900 WESTOWN PKWY  
WEST DES MOINES, IA 50266

**Ship To:**  
HUBBELL REALTY  
6900 WESTOWN PKWY  
WEST DES MOINES, IA 50266  
**Confirm To:**

Customer P.O.	Ship Via	Ship Date	Terms		
GLENN VILLAGE			NET 45 DAYS		
Item Number		Unit	Shipped	Price	Amount
2665	FRYEFLOW 18"X36"	EA	40.00	95.0000	3,800.00

JUL 13 2016

NAME Glynn Village 10  
JOB # 4-020017-110  
ACCOUNT 2-007  
DESC. 40 IPD'S  
BY [Signature]

\* Spoke to Quick Supply  
on 9-20-16. This is tax  
exempt under new  
construction. Short the  
invoice to non-tax total  
and send tax exempt  
Certification.

Net Invoice: 3,800.00  
Freight: 0.00  
~~\* Sales Tax: 228.00~~  
~~Invoice Total: 4,028.00~~

# Exhibit 6C – Quick Supply Invoice # 0174932-IN



## Invoice

Page: 1

12578

6620 N.W. Toni Drive - Des Moines, IA 50313-5453  
(515) 289-1271 - Fax (515) 289-1272  
DISTRIBUTORS OF  
ENGINEERING FABRICS - EXPLOSIVES

Invoice Number: 0174932-IN

Invoice Date: 7/19/2016

Order Number: 0122531

Order Date: 7/12/2016

Salesperson: HOUS

Customer Number: 03-HUBBELL

### Sold To:

HUBBELL REALTY  
6900 WESTOWN PKWY  
WEST DES MOINES, IA 50266

### Ship To:

HUBBELL REALTY  
6900 WESTOWN PKWY  
WEST DES MOINES, IA 50266

### Confirm To:

Customer P.O.	Ship VIA	Ship Date	Terms		
GLENNVILLE	CPU		NET 45 DAYS		
Item Number		Unit	Shipped	Price	Amount
2665	FRYEFLOW 18"X36"	EA	15.00	95.0000	1,425.00

IPD'S

JUL 20 2016

\* spoke with Quick Supply 9-20-16.  
This is tax exempt under new  
construction. Short the invoice  
to non-tax total & send  
tax exempt cert.

Vendor Name Glenn Village Plat 10  
Job 4-820017-140  
Phase 2-019  
Desc 15 IPD'S  
By [Signature]  
☐ Pay per Terms

Net Invoice:

1,425.00

Freight:

0.00

\* Sales Tax:

85.50

Invoice Total:

1,510.50



## Inspection Comment #7

*“Improper maintenance of the site sediment basins: (1) the smaller basin had significant amount of sediment accumulation and (2) the large basin had significant growth of vegetation.”*

Measurements have been taken of the two detention basins. As of 10/19/16, the two basins (which were intentionally designed to have extra storage) both had 2 feet of silt storage left before being required to be cleaned out. If either basin ever reaches the maximum silt storage, we will clean them out as required by the Storm Water Pollution Prevention Plan.

The Glynn Village Development is a conservation community. It utilizes green infrastructure and a multi-phase storm water treatment train so more water infiltrates back into the ground and ensures cleaner water is discharged from our site. This is accomplished by more open space with deep-rooted native vegetation collecting stormwater run-off from impervious services, and then filtering the water through a series of native vegetation swales and sediment basins. A conventional sub-division design will take all surface water from impervious surfaces and pipe it as quickly as possible to a large stormwater basin, where it is released at a pre-development rate. The conservation design we employ cleans the water as it moves through the treatment train, and the higher infiltration levels mean less silt and water ever reach the basins compared to a conventional stormwater design. Both of the basins referenced in the potential violation also have a stand pipes with exterior rock filters to prevent sediment from leaving the basin as seen in the attached detail page from the **Glynn Village 10 Construction Plans (Exhibit 7B)**.

It was noted during the inspection the smaller basin, Bailey West basin, had what appeared to be significant amount of sediment accumulation. However, that basin was intentionally oversized to hold 3 ft. of silt permanently, and still contains stormwater as required by SWPPP. As shown in the attached document from the designing civil engineer, the silt accumulation in both of the basins in question was at less than 25% of capacity of the basins, and the SWPPP references the need to clean out the basins once silt has accumulated over 25% capacity or at the end of the project. We have performance bonds in place with the City of Waukee to clean out each basin at the end of the construction phase and ensure any pipe infrastructure is cleaned out as well.

Note (2) in the potential violation mentions significant growth of vegetation in the large basin. As noted by the designing engineer, the basin is functioning properly regarding capacity, and the basin is also designed to be vegetated with a wetland seed mix as noted in the attached exhibit. The vegetation in the basin functions as an additional stormwater filtration measure, and is an integral part of the stormwater treatment train.

Each of the basins in question are below the capacity requirement for cleanout, as verified by licensed survey, and designed to be vegetated as shown on the attached approved seeding plan. These basins have been, and continue to be, extremely effective in preventing any loss of silt from the site. We therefore respectfully ask to remove this as a potential NPDES permit violation.



# 7

**ERG**  
**ENGINEERING RESOURCE GROUP, INC.**

ENGINEERS & SURVEYORS

PH. 515 / 288-4823 • FAX 515 / 288-3860 • Email: [erg@ergcorp.com](mailto:erg@ergcorp.com)

October 19, 2016

Mr. Joe Pietruszynski  
Hubbell Realty Company  
6900 Westown Pkwy  
West Des Moines, Iowa 50266

**RE: GLYNN VILLAGE PLAT 10, SILT BASINS  
WAUKEE, IOWA**

Dear Joe:

At your request, we have measured the existing silt stored in the 2 silt basins in Glynn Village Plat 10 and analyzed the remaining silt storage capacity of the basins. We have determined the existing silt stored in the basins comprise less than 25% of the available silt capacity.

The long term function of these basins is to provide detention for stormwater management. During construction, these basins also act as temporary silt basins. The outlet control for silt storage silt storage is provided by temporary perforated metal risers placed in the primary outlet pipes of each basin.

The smaller of the 2 basins is located south of Bailey Circle and for reference is called the Baily West basin. The other basin is located north of Bailey Circle and is called 8E basin.

The Bailey West basin was designed to permanently store silt in the bottom 3 feet. That is, 3 feet of silt can remain in the basin without the need for it to be removed and still allow the function of storm water management. The detail for the basin as found on sheet 91 of the construction plans is attached.

Required silt storage capacities were calculated using criteria from the Iowa Stormwater Management Manual and were reviewed and approved by the City of Waukee. The calculations are attached.

On October 19, 2016, survey shots were taken to determine the top elevation of the silt in the 2 basins.

The SWPPP states that "built up sediment will be removed when it reaches 25 percent of the design capacity or at the end of the job." The table below denotes the existing silt elevations and the basin elevations for 25% silt storage. Both basins currently have silt levels lower than the 25% capacity elevation. The page from the SWPPP is enclosed.

2413 GRAND AVENUE • DES MOINES, IOWA 50312

## Engineer's Certification – Site Sediment Basins

Mr. Joe Pietruszynski  
October 19, 2016  
Page 2

Exhibit 7A (cont'd)



A table summarizing pertinent data for the basins is below.



### BASIN DATA

	BASIN: 8E	BASIN: BAILEY WEST
OUTLET ELEVATION	953.04	943.00
PERMANENT SILT STORAGE ELEV.	NA	943.00
MAXIMUM SILT STORAGE ELEV.	956.52	946.56
ELEV. OF 25% STORAGE VOL.	955.33	944.80
ELEV. OF SILT IN BASIN	954.33	944.65
25% REQUIRED STORAGE VOL. (CF)	19,750	9,162

Sincerely,

ENGINEERING RESOURCE GROUP, INC.

  
Douglas J. Saltsgaver, P.E.  
President

	<b>ENGINEERING CERTIFICATION</b>
	<p>I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT, SPECIFICATION OF REPORT WAS PREPARED BY ME, OR UNDER MY DIRECT PERSONAL SUPERVISION, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.</p> <p> DATE <u>10/19/16</u></p> <p>DOUGLAS J. SALTSGAVER, P.E. #11993 MY REGISTRATION RENEWAL DATE IS DECEMBER 31, 2018</p> <p>PAGES OR SHEETS COVERED BY THIS SEAL <u>1-2</u></p>

**MAINTENANCE AND INSPECTION PROCEDURES**

The contractor/subcontractor (co-permittees) shall be required to maintain all temporary erosion control measures in proper working order, including cleaning, repairing, or replacing them throughout the contract period. The following inspection and maintenance practices will be used to maintain erosion and sediment controls and stabilization measures.

- All control measures will be inspected at least once every seven (7) calendar days.
- All measures will be maintained in good working order. If a repair is necessary, it will be initiated within 24 hours of the report.
- Any built up sediment will be removed from the silt fence/filter sock when it has reached one-half of the height of the fence.
- Silt fence/filter socks/wattle will be inspected for depth of sediment, tears, etc., to see if the fabric is securely attached to the fence posts, and to see that the fence posts are securely fastened in the ground.
- • The sediment basin, if present, will be inspected for depth of sediment. Built up sediment will be removed when it reaches 25 percent of the design capacity or at the end of the job.
- Diversion dikes, if present, will be inspected and any breaches will be promptly repaired.
- Temporary and permanent seeding and plantings will be inspected for bare spots, washouts, and healthy growth.
- A maintenance inspection report will be made after each inspection and recorded in the project diary.
- The contractor will be responsible for selecting a "qualified" inspector to conduct the inspections. "Qualified" is defined as a person knowledgeable in the principles and practices of erosion and sediment controls who possesses the skills to assess conditions at the construction site that could impact stormwater quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of stormwater discharge from the construction activity.

**INVENTORY FOR POLLUTION PREVENTION PLAN**

The materials or substances listed below are expected to be present onsite during construction:

- |                             |                            |
|-----------------------------|----------------------------|
| • Concrete                  | • Fertilizers              |
| • Detergents                | • Petroleum Based Products |
| • Paints (enamel and latex) | • Cleaning Solvents        |
| • Metal Studs               | • Wood                     |
| • Concrete                  | • Masonry Block            |
| • Tar                       | • Roofing Shingles         |

# Engineer's Certification – Site Sediment Basins

# Exhibit 7A (cont'd)

Engineering Resource Group, Inc.  
2413 Grand Avenue  
Des Moines, IA 50312  
Telephone: (515) 288-4823  
Fax: (515) 288-3860

Computed By: JRKoester  
Checked By: \_\_\_\_\_  
Date: 7/2/2015  
Sheet No. \_\_\_\_\_  
Job No. 15-013

Project: Glynn Village Plat 10  
Basin: 'Residential'  
To Node: Sugar Creek

## Sedimentation Basin for/in 'Bailey West' Detention Basin

Total Disturbed Area Tributary to Basin (A) = 20.36 acres (Current Plat Only)  
Required Storage Rate (SR) = 3,600 cubic feet/acre of disturbed ground

Total Storage Volume Required ( $V_t = A \cdot SR$ ) = 73,296.0 cubic feet

Wet Storage Volume Required ( $V_w = 1/2 \cdot V_t$ ) = 36,648.0 cubic feet (basin bottom to bottom of dewatering orifices)

Dry Storage Volume Required ( $V_d = 1/2 \cdot V_t$ ) = 36,648.0 cubic feet (bottom of dewatering orifices to top of perforated riser)

Elevation	Pond Stage Area (Sq Ft)	Incremental Volume (Cu Ft)	Cumulative Volume (Cu Ft)	Cumulative Volume (Ac-Ft)	
941.0	0.0				Bottom of Siltation Basin
		395.5	395.5	0.01	
942.0	790.9				
		2,084.4	2,479.8	0.06	
943.0	3,377.8				Bottom of Detention Basin
		4,972.4	7,452.2	0.17	
944.0	6,567.0				
		8,462.8	15,915.0	0.37	
945.0	10,358.6				
		12,555.6	28,470.6	0.65	
946.0	14,752.6				
		17,104.9	45,575.5	1.05	
947.0	19,457.1				Stage Areas from Previous Basin Volume Calculations
		20,450.1	66,025.5	1.52	
948.0	21,443.0				
		22,464.2	88,489.7	2.03	
949.0	23,485.4				Emergency Overflow Weir - Detention Basin
		24,534.9	113,024.6	2.59	
950.0	25,584.3				Top of Berm - Detention Basin
		12,792.2	125,816.7	2.89	
951.0	0.0				
		0.0	125,816.7	2.89	

Bottom Of Siltation Basin Elevation (A) =	941.00
Bottom Of Detention Basin Elevation (A1) =	943.00
Top Vw Storage Elevation (B) =	946.56
Top of Vd Storage Elevation (C) =	948.62
Maximum Top of Riser Elevation (D) =	949.00
Invert of Detention Basin Spillway =	949.00
Top of Detention Basin Berm (E) =	950.00
	944.80

# Engineer's Certification – Site Sediment Basins

# Exhibit 7A (cont'd)

Engineering Resource Group, Inc.  
2413 Grand Avenue  
Des Moines, IA 50312  
Telephone: (515) 288-4823  
Fax: (515) 288-3860

Computed By: JRKoesler  
Checked By: \_\_\_\_\_  
Date: 7/2/2015  
Sheet No. \_\_\_\_\_  
Job No. 15-013

Project: Glynn Village Plat 10  
Basin: 'Residential'  
To Node: Sugar Creek

## Sedimentation Basin for/in 'East/8E' Detention Basin

Total Disturbed Area Tributary to Basin (A) = 43.89 acres (Current Plat Only)  
Required Storage Rate (SR) = 3.600 cubic feet/acre of disturbed ground

Total Storage Volume Required ( $V_t = A \cdot SR$ ) = 158,004.0 cubic feet

Wet Storage Volume Required ( $V_w = 1/2 \cdot V_t$ ) = 79,002.0 cubic feet (basin bottom to bottom of dewatering orifices)  
Dry Storage Volume Required ( $V_d = 1/2 \cdot V_t$ ) = 79,002.0 cubic feet (bottom of dewatering orifices to top of perforated riser)

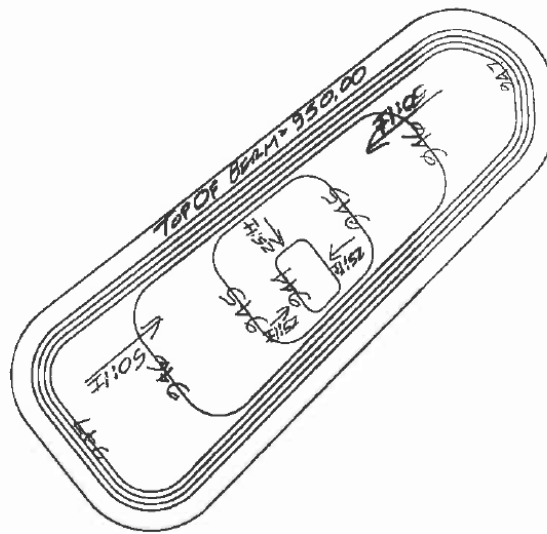
Elevation	Pond Stage Area (Sq Ft)	Incremental Volume (Cu Ft)	Cumulative Volume (Cu Ft)	Cumulative Volume (Ac-Ft)	Stage Areas from Previous Basin Volume Calculations
953.0	0.0				Bottom of Siltation Basin/Detention Basin
		4,717.7	4,717.7	0.11	
954.0	9,435.4	22,592.4	27,310.1	0.63	
		52,169.4	79,479.5	1.82	
955.0	35,749.4	84,868.3	164,347.7	3.77	
		117,649.3	281,997.0	6.47	
956.0	68,589.3	144,920.6	426,917.6	9.80	
		163,087.9	590,005.4	13.54	
957.0	101,147.2	175,358.9	765,364.3	17.57	
		183,781.7	949,146.0	21.79	
958.0	134,151.4	190,931.8	1,140,077.8	26.17	Emergency Overflow Weir - Detention Basin
		97,266.0	1,237,343.7	28.41	Top of Berm - Detention Basin
959.0	155,689.7				
960.0	170,486.0				
961.0	180,231.8				
962.0	187,331.6				
963.0	194,531.9				
964.0	0.0				

Bottom Of Basin Elevation (A) = 953.00  
Top Vw Storage Elevation (B) = 956.52  
Top of Vd Storage Elevation (C) = 957.93  
Maximum Top of Riser Elevation (D) = 958.00  
Invert of Detention Basin Spillway = 959.00  
Top of Detention Basin Berm (E) = 960.00  
955.33

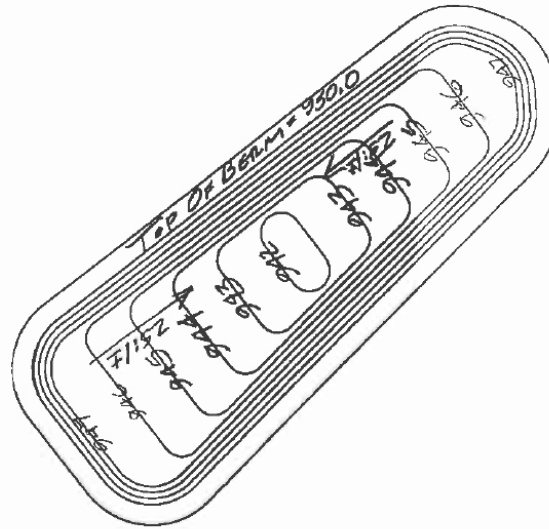
Increase Storage



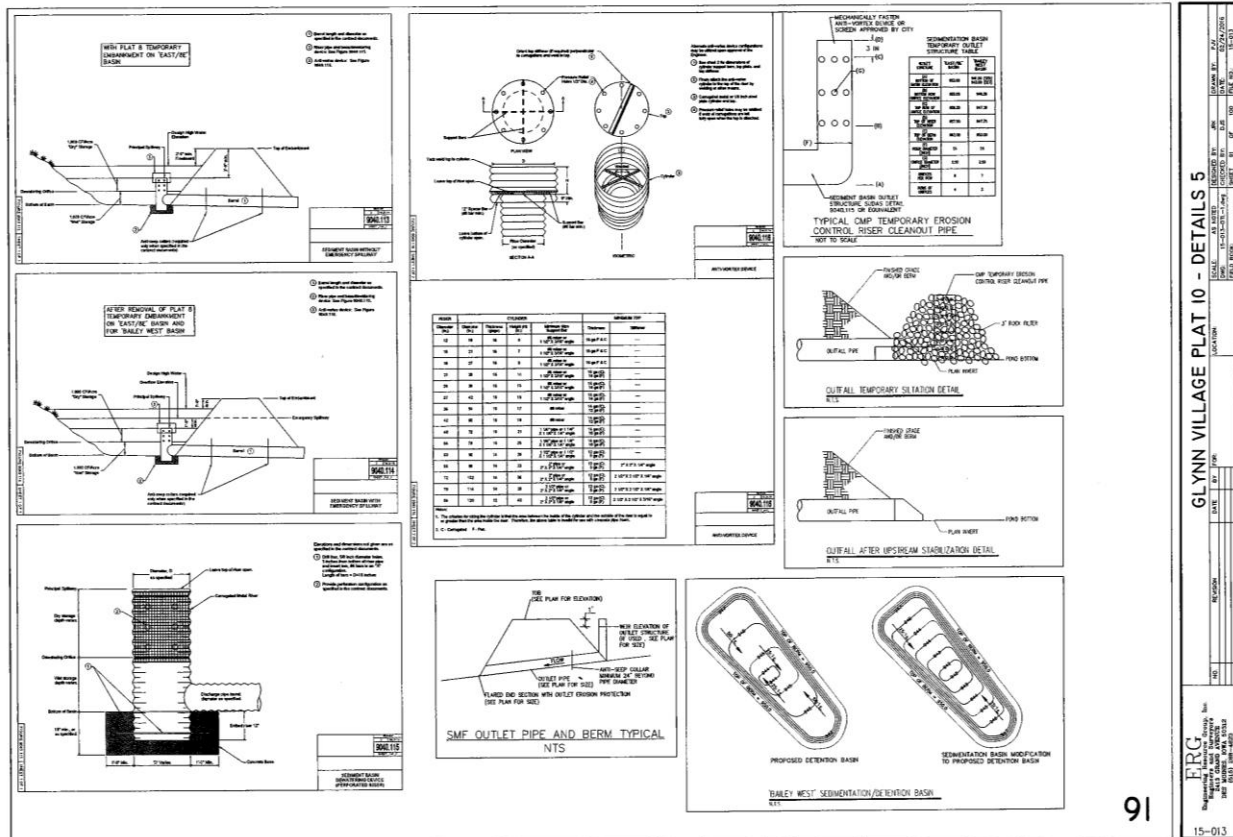
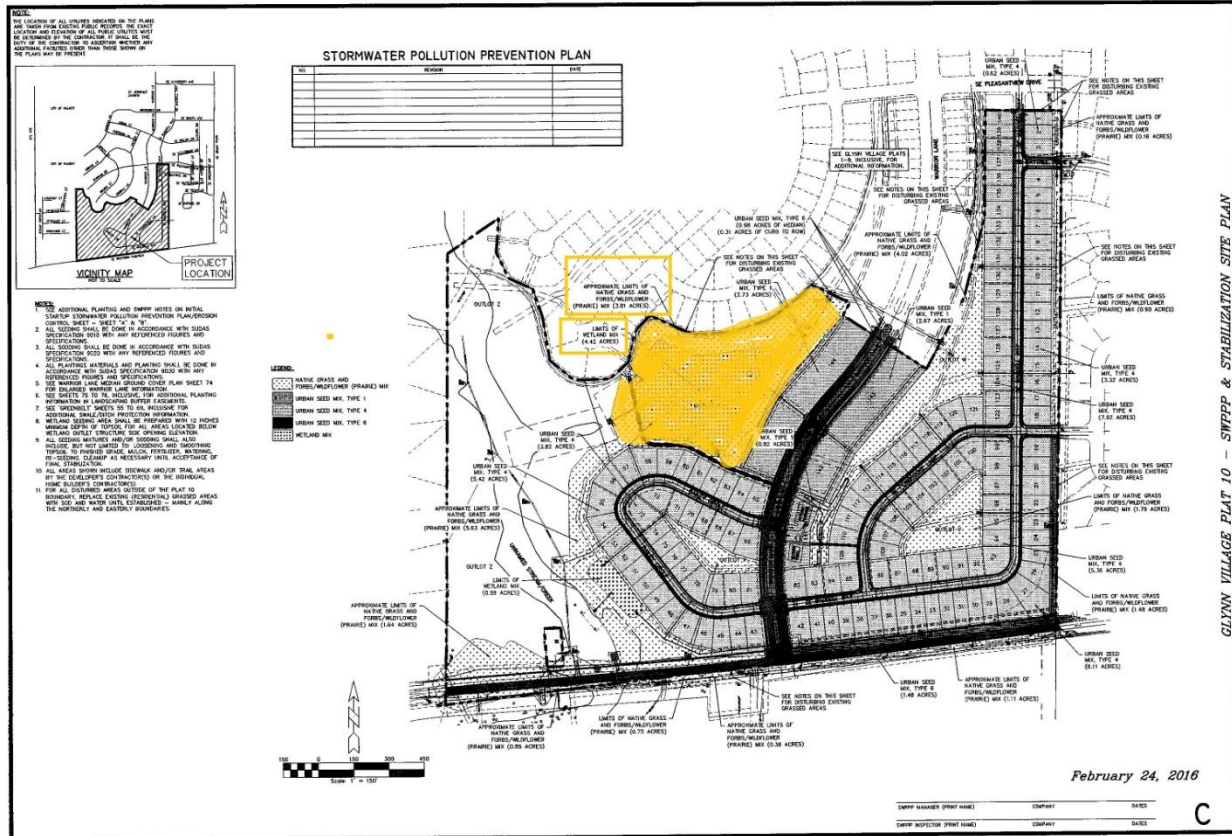
PROPOSED DETENTION BASIN



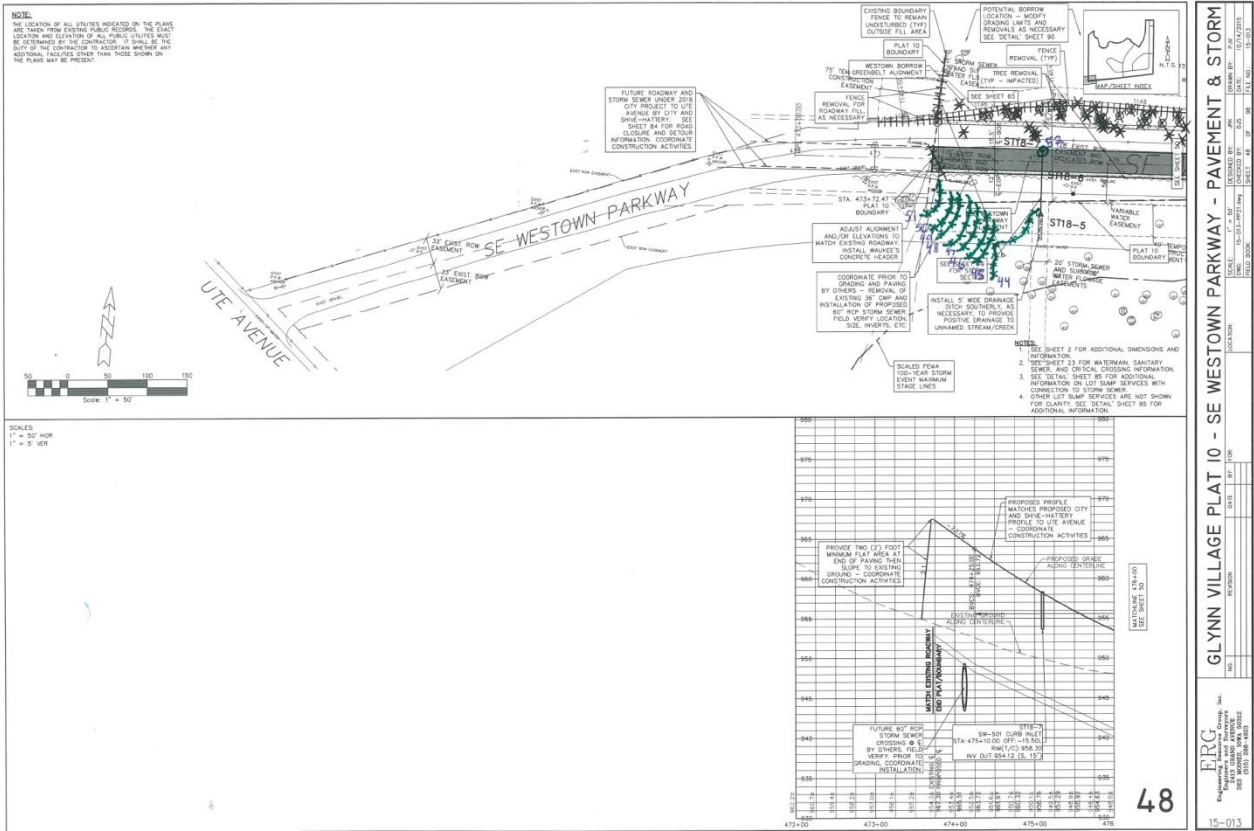
SEDIMENTATION BASIN MODIFICATION  
TO PROPOSED DETENTION BASIN



J:\2015 Proj\15-013\DESIGN\BASEMAP\15-013-BM.dwg, 7/2/2015 1:04:14 PM, JRK

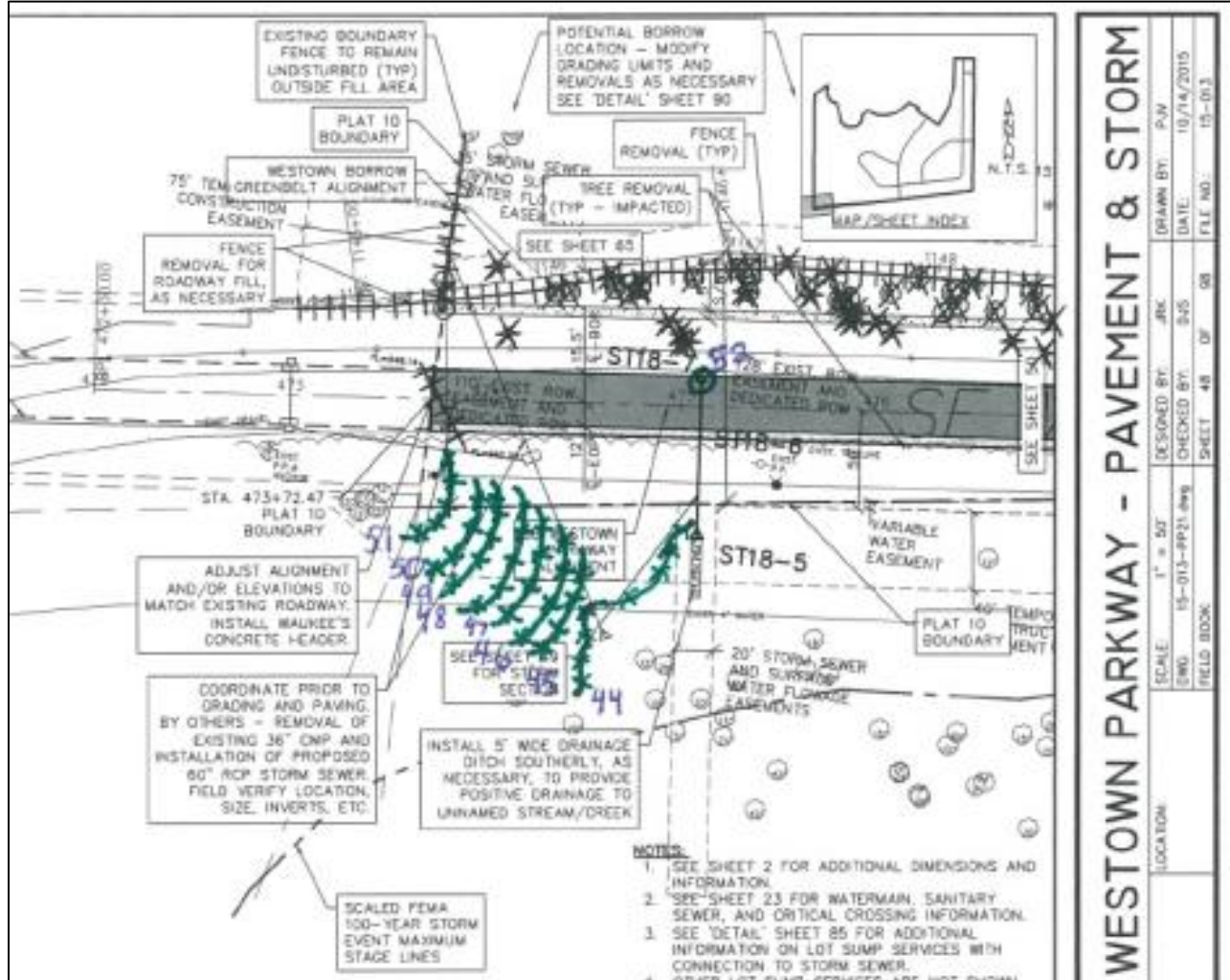


# Exhibit A – Silt Fence Map 1 Whole map



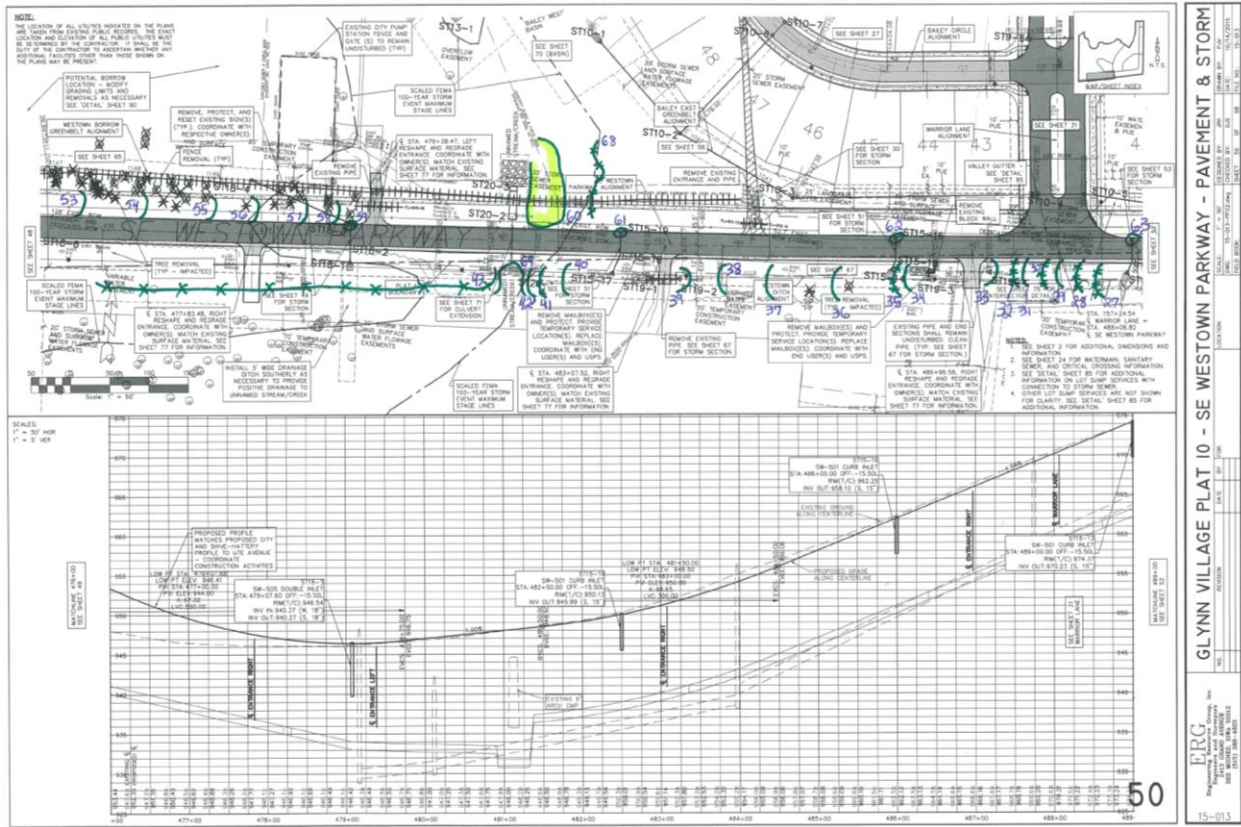
## Exhibit A – Silt Fence Map 1 (cont'd) Close-up

East side of map





## Exhibit B – Erosion Controls Map 2 Whole Map



## West side of map

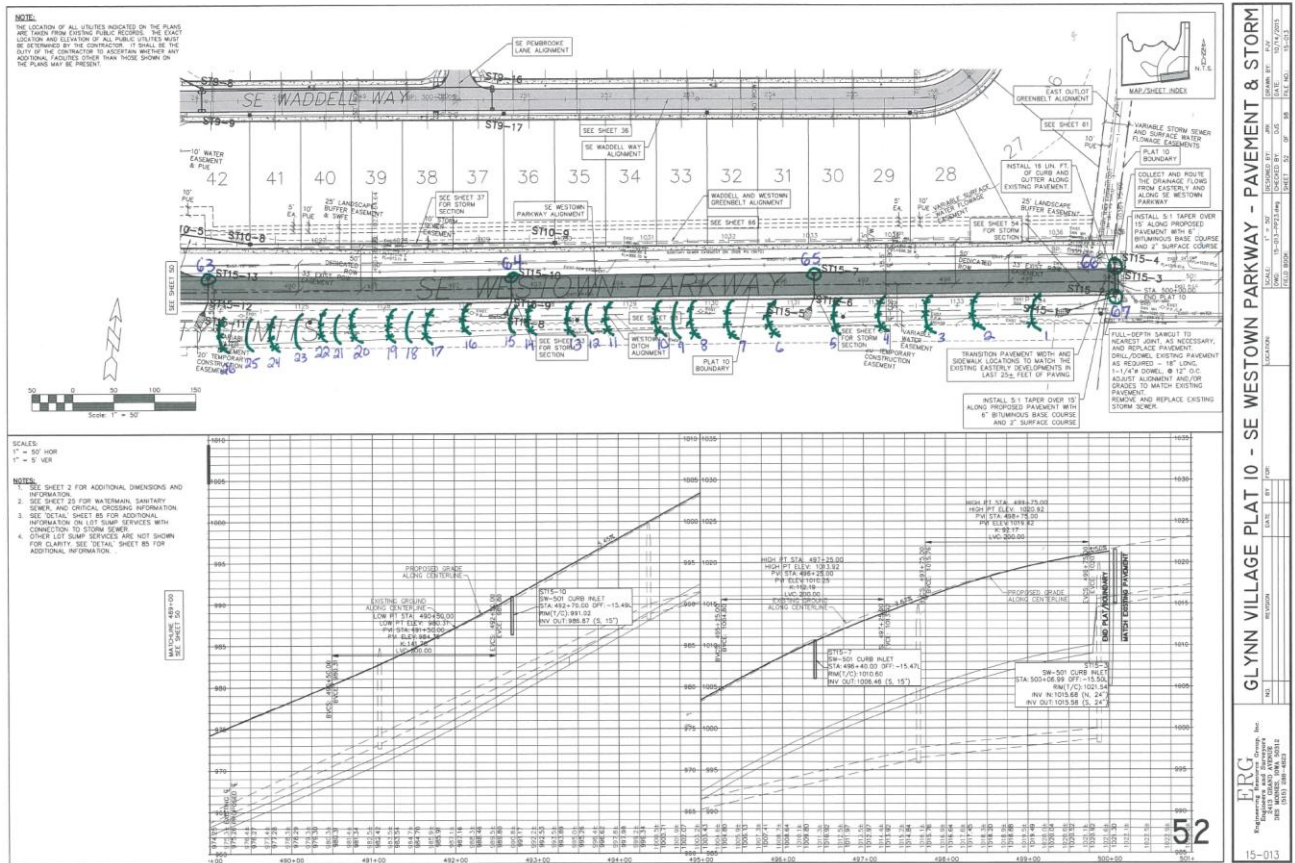


### East side of map



Map Exhibits A, B, and C – Page 4

# Exhibit C – Erosion Control Map 3 Whole Map

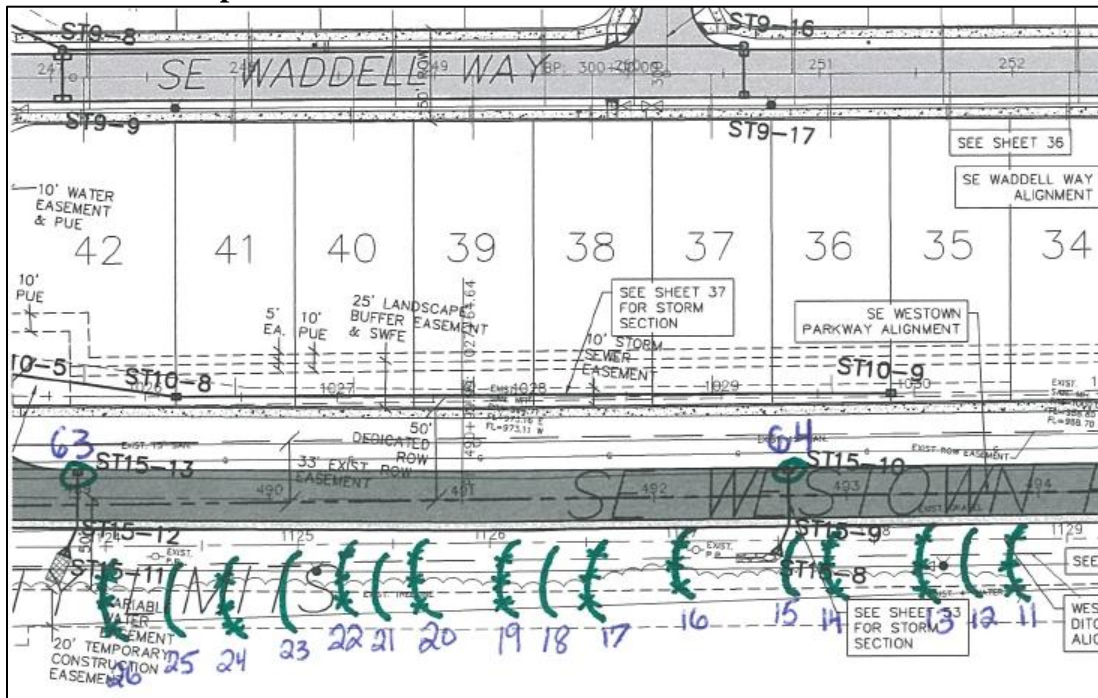




## Exhibit C – Erosion Control Map 3 (cont'd)

### Close- Ups

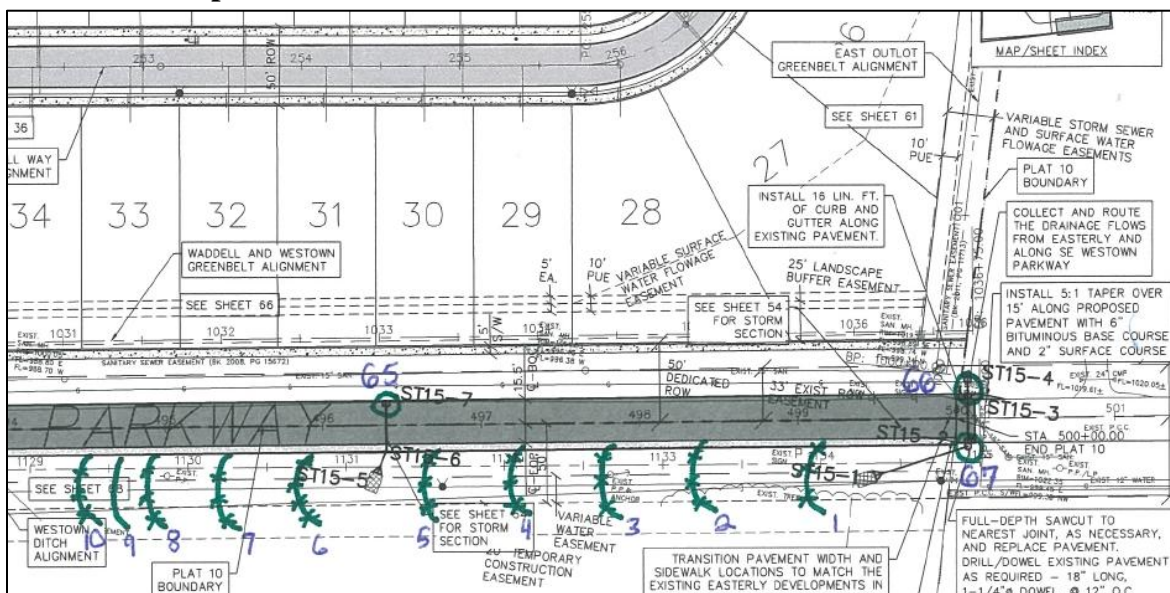
**West side of map**



**Features:**

**Silt Sock Numbers – 12, 15, 18, 21, 23, 25, 63, and 64. Silt Fence Numbers – 11, 13, 14, 16, 17, 19, 20, 22, 24, and 26**

**East side of map**



**Features:**

**Silt Sock Numbers – 9, 66, 67**



## Exhibit D – Silt Sock and Silt Fence Erosion Controls

Silt Control #15



Silt Control #18



Silt Control #21



Silt Control #23



Silt Control #25



Silt Control #29



Silt Sock #31, 33 (also pictured Silt Fence #32)



Silt Control #34,35



Silt Control #36





Silt Control #37



Silt Control #38,39



Silt Control #42





Silt Sock #53-58



Silt Sock #69



Silt Sock #69



## **Exhibit E – Silt Fence Erosion Control Photos**

Silt Control #1



Silt Control #2



Silt Control #3



Silt Control #4



Silt Control #5



Silt Control #6





Silt Control #7



Silt Control #8



Silt Control #9



Silt Control #10



Silt Control #11



Silt Control #13





Silt Control #14



Silt Control #16



Silt Control #17



Silt Control #19



Silt Control #20



Silt Control #22



Silt Control #24



Silt Control #26



Silt Control #27





Silt Control #28



Silt Control #30



Silt Control #40,41



Silt Fence #43



Silt Fence #43



Silt Fence #43





Silt Control #45



Silt Fence #44



Silt Fence #44



Silt Fence #45-51



Silt Sock #60



Silt Fence #68





**Exhibit F - Intake Protections  
(Corresponds with numbered locations on  
Exhibit A, Exhibit B, and Exhibit C)**

#59



#61





#62



#63



#64



#65





#66



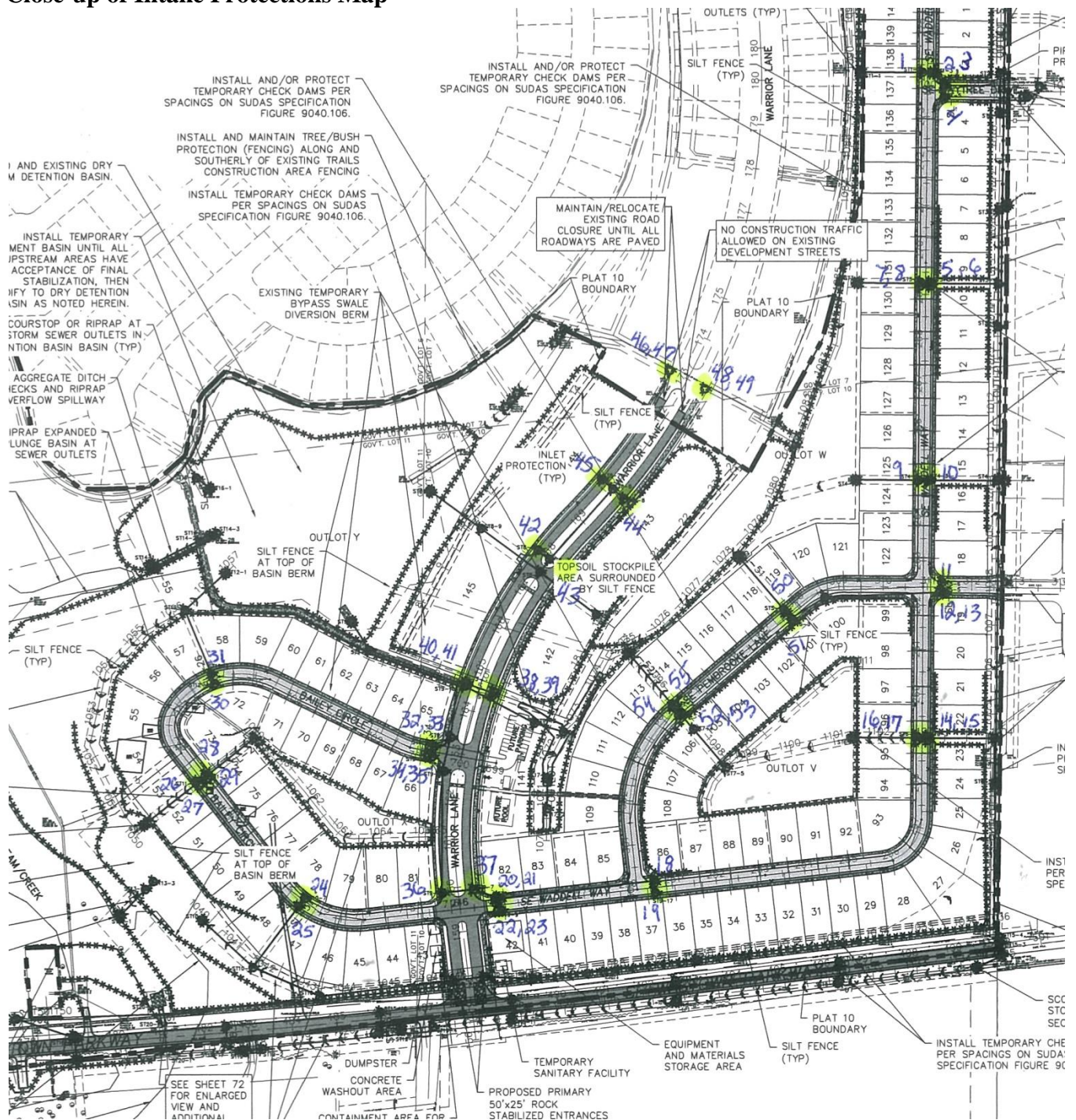
#67







### Close-up of Intake Protections Map



Intake #1



Intake #2



Intake #3





Intake #4



Intake #5, 6



Intake #7, 8



Intake #9



Intake #10



Intake #11





Intake #12, 13



Intake #14, 15



Intake #16, 17



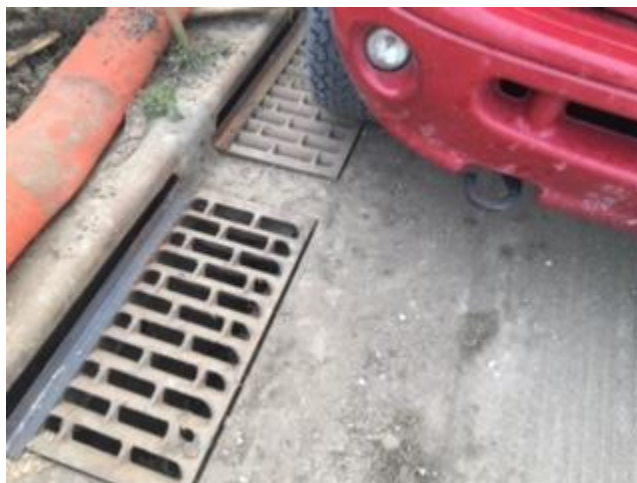
Intake #18



Intake #19



Intake #20, 21



Intake #22, 23



Intake #24



Intake #25



Intake #26, 27



Intake #28, 29



Intake #30





Intake #31



Intake #32, 33



Intake #34, 35



Intake #36



Intake #37



Intake #38, 39



Intake #40, 41



Intake #42



Intake #43



Intake #44



Intake #45



Intake #46, 47





Intake #48, 49



Intake #50



Intake #51



Intake #52, 53



Intake #54, 55

